

STATEMENTS ON INTRODUCED
BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. THOMAS, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLEN, Mr. BAUCUS, Mr. BAYH, Mr. BIDEN, Mr. BINGAMAN, Mrs. BOXER, Mr. BURNS, Mr. BYRD, Ms. CANTWELL, Mr. CARPER, Mr. CHAFEE, Mrs. CLINTON, Mr. COBURN, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CRAIG, Mr. DAYTON, Mr. DEWINE, Mr. DODD, Mrs. DOLE, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. FEINGOLD, Mr. GRASSLEY, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mr. INOUE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LOTT, Mr. LUGAR, Mr. MARTINEZ, Mr. MCCAIN, Mr. MENENDEZ, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. OBAMA, Mr. PRYOR, Mr. REED, Mr. REID, Mr. ROCKEFELLER, Mr. SALAZAR, Mr. SANTORUM, Mr. SCHUMER, Mr. SESSIONS, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. SUNUNU, Mr. TALENT, Mr. THUNE, Mr. VITTER, Mr. VOINOVICH, and Mr. WYDEN):

S. 2784. A bill to award a congressional gold medal to Tenzin Gyatso, the Fourteenth Dalai Lama, in recognition of his many enduring and outstanding contributions to peace, non-violence, human rights, and religious understanding; to the Committee on Banking, Housing, and Urban Affairs.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the Dalai Lama Congressional Gold Medal Act of 2006.

This legislation would convey upon the 14th Dalai Lama, Tenzin Gyatso, one of Congress' most prestigious awards for his advocacy of peace, tolerance, human rights, non-violence, and compassion throughout the globe.

I am deeply honored to be joined today by my colleague, Senator THOMAS, and wish to express my appreciation to him for his willingness to be the lead Republican sponsor of this legislation.

Senator THOMAS has long been an advocate for addressing the plight of the Tibetan people, and in 2001 joined with me in introducing the Tibetan Policy Act, the first piece of legislation outlining U.S. policy toward Tibet and its people. He was truly instrumental in helping to advance its passage in the Congress.

In fact, one of my proudest days as a U.S. Senator was on September 30, 2002, when President George W. Bush signed the Tibetan Policy Act into law.

Both Senator THOMAS and I are also grateful that 73 of our Senate colleagues have agreed to be original cosponsors of this legislation honoring the Dalai Lama.

Under the rules, Congressional Gold Medals need the support of at least two-thirds, or 67 Senators, in order for the Senate Banking Committee to consider such authorizing legislation.

I look forward to working closely with Chairman SHELBY and Ranking Member SARBANES to ensure that the Dalai Lama Congressional Gold Medal Act can be taken up and passed out of the Banking Committee in a timely and efficient manner.

In my view, there is no international figure more deserving of the Congressional Gold Medal than His Holiness the Dalai Lama.

This is a man who has dedicated his life to the betterment of humanity as a whole. As one of the most respected religious figures in the world today, the Dalai Lama's teachings on peace, non-violence and ecumenical openness have been embraced by millions.

One of his greatest contributions has been his promotion of harmony and respect among the different religious faiths of the world.

In his own words: "I always believe that it is much better to have a variety of religions, a variety of philosophies, rather than one single religion or philosophy. This is necessary because of the different mental dispositions of each human being. Each religion has certain unique ideas or techniques, and learning about them can only enrich one's faith."

As the spiritual leader of Tibetan Buddhism, he has worked arduously for nearly 50 years to increase understanding between China and the people of Tibet.

He has also dedicated his life to the preservation of the Tibetan culture, religion, and language.

The Dalai Lama's story is a fascinating one.

In 1959, as a teenager, he fled his Tibetan homeland for neighboring India, where he established a government-in-exile that eventually settled at Dharmasala—in the Himalayan foothills.

While he admittedly once espoused independence for Tibet—particularly in the face of the heavy-handed oppression of the Tibetan people by the Chinese Communists—the Dalai Lama foreswore this position nearly two decades ago.

Alternatively, he began to pursue a reasonable and flexible "Middle Way Approach" that would provide for cultural and religious autonomy for Tibetans, within the People's Republic of China.

In 1989, the Dalai Lama was the recipient of the Noble Peace Prize for his consistent and unfailing advocacy for the rights of the Tibetan people, along with his promotion of non-violence and peace throughout the globe.

In their recommendation, the Nobel Committee wrote:

The Committee wants to emphasize the fact that the Dalai Lama in his struggle for the liberation of Tibet consistently has opposed the use of violence. He has instead ad-

vocated peaceful solutions based upon tolerance and mutual respect in order to preserve the historical and cultural heritage of his people.

In April 1991, when the Congress welcomed the Dalai Lama in a ceremony in the Capitol Rotunda that was attended by the entire Congressional leadership, he offered a moving anecdote about receiving a small gift from President Franklin Roosevelt when he was a young boy.

That gift—a gold watch showing phases of the moon and the days of the week—became very special to him.

"I marveled at the distant land which could make such a practical object so beautiful," he said.

"But what truly inspired me were your ideas of freedom and democracy. I felt that your principles were identical to my own, the Buddhist beliefs in fundamental human rights freedom, equality, tolerance and compassion for all."

I have been blessed to be able to call the Dalai Lama a friend for almost three decades. I first met him through my husband Richard during a trip to India and Nepal in the fall of 1978.

Incidentally, our first stop was in Dharmasala, where we met with His Holiness and invited him to visit San Francisco where I was mayor.

The Dalai Lama was grateful for the invitation. At that time, he had never even been to the United States.

For political reasons, the Chinese objected to his visiting the United States, and our government, which at that time was in the process of normalizing relations with the People's Republic of China, was sensitive to these concerns.

While the trip was postponed temporarily, as mayor I was delighted to receive the Dalai Lama and present him with a key to the city upon his arrival in San Francisco in September 1979.

During our many conversations over the years, His Holiness has often reiterated that, at its core, Buddhism espouses reaching out to help others, particularly the less fortunate. And it encourages us all to be more kind and compassionate.

The Dalai Lama's persona exudes these qualities. He has a great sense of humor, responds quite spontaneously, and his philosophies cross all religions, cultures, and ethnic lines.

I have visited with him many times since 1978, and while his principled beliefs have never wavered, his teachings have become more expansive. His message has never been more relevant in our troubled world.

At the same time, I also had the opportunity as mayor of San Francisco to become acquainted with several of China's future leaders through the San Francisco-Shanghai Sister City Relationship that I started with Mayor Wang Daohan in 1980.

Mayor Wang's immediate successors, Jiang Zemin and Zhu Rongji, were both later promoted to high-level positions in the Chinese Communist Party and Central Government after leaving Shanghai.

Consequently, since 1990, my husband and I have had many discussions with Jiang Zemin, Zhu Rongji, and other Chinese officials about the status of the Dalai Lama and the plight of the Tibetans in and outside of Tibet.

On three separate occasions over the past 15 years, I have hand-delivered letters from His Holiness to the Chinese leadership, asking for direct talks and reiterating that he does not seek independence for Tibet.

I know that at the same time President Bill Clinton, President George W. Bush, and many others in the U.S. Government have also encouraged a meaningful dialogue. For the most part, these efforts have had little success.

If His Holiness the Dalai Lama were to return to Tibet, his wish is, as he says, to be a simple monk and to be involved only in religious and cultural matters.

China will be a better nation when it embraces the aspirations of the Tibetan people.

Through the passage of this legislation, the United States Senate would recognize the Dalai Lama's worldwide contributions to peace and religious understanding.

Among past recipients of the Congressional Gold Medal are fellow moral and religious leaders, including Pope John Paul II and Mother Teresa, and fellow Nobel Peace Laureates, such as Elie Wiesel and Nelson Mandela.

By definition, a Congressional Gold Medal is reserved for the most heroic, courageous and outstanding—those who we wish to emulate in our life's actions.

I strongly believe that the Dalai Lama is such an individual.

I am proud that the U.S. Congress has a long record of showing support for the Dalai Lama's message of peace and compassion, and I look forward to joining my colleagues in recognizing him with this distinguished award.

Mr. THOMAS. Mr. President, I rise today with my colleague from California in offering this legislation to award the 14th Dalai Lama with the prestigious Congressional Gold Medal.

Mr. President, the Dalai Lama has been one of the leading voices in advocating for peace, tolerance, human rights, nonviolence, and compassion throughout the globe. He has worked tirelessly for nearly 50 years to increase understanding between the Tibetan and Chinese people. In these difficult times, I believe it is necessary to recognize those who fight to bring people together. There are few international figures more deserving of receiving this award.

In 1959, the Dalai Lama fled his Tibetan homeland for neighboring India, where he established a government in exile. Under his "Middle Way" approach, he has worked arduously for the past two decades to find a reasonable and peaceful solution for providing cultural and religious autonomy for Tibetans within the People's Republic of China. He has also been a

steadfast and vigorous advocate for peace and human rights for all people across the globe.

In 1989, he received the Nobel Peace Prize for his efforts. In their recommendation, the Nobel Committee noted that in his struggle for the liberation of Tibet, the Dalai Lama has consistently opposed the use of violence, and has instead advocated peaceful solutions based upon tolerance and mutual respect.

The Dalai Lama's worldwide contributions to peace, religious understanding, and the advancement of human rights are innumerable. He has made it his life's work to promote harmony and respect among the different religious faiths of the world. In his own words: "I always believe that it is much better to have a variety of religions, a variety of philosophies, rather than one single religion or philosophy. This is necessary because of the different mental dispositions of each human being. Each religion has certain unique ideas or techniques, and learning about them can only enrich one's faith."

By definition, a Congressional Gold Medal is reserved for the most heroic, courageous, and outstanding those who we wish to emulate in our own lives. The Dalai Lama is such an individual, and I urge all of my colleagues to join Senator FEINSTEIN and myself in honoring him with this distinctive award.

By Mr. BURNS (for himself and Ms. MURKOWSKI):

S. 2789. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to rural primary health providers; to the Committee on Finance.

Mr. BURNS. Mr. President, I am joined today by Senator MURKOWSKI in introducing the Rural Physicians Relief Act of 2006. This legislation is intended to bring needed relief to doctors in rural America.

As those of us from rural States are well aware, our constituents face many unique challenges when seeking quality health care. Our populations are small and spread out across extremely remote areas. Incidentally, the costs of operating even the most basic medical practice are simply too much for many physicians. As a result, many areas of our States tend to be some of the most medically underserved areas in the Nation.

To give you an idea of the situation in Montana, nearly 286,000 or one third of my constituents live in what are known as frontier areas. According to the United States Census Bureau, these are counties with fewer than seven people per square mile. That means that 46 of Montana's 56 counties are classified as frontier—24 of those have fewer than two people per square mile and 10 of those have less than one per square mile. However, what is even more striking is 9 of these frontier counties have no doctors at all, and 10 others have fewer than 3. Consequently, a large percentage of Montanans must

travel great distances simply to get basic medical treatment.

The legislation that Senator MURKOWSKI and I are introducing today seeks to alleviate this problem. It will provide incentives to encourage physicians to practice in these remote and underserved areas. Specifically, it would give a physician who is a Primary health services provider a \$1,000 tax credit for each month that he or she provides services in a frontier area. Furthermore, physicians who treat a high percentage of patients from frontier areas would also be eligible for the tax credit.

All too often many of our constituents are at a disadvantage simply because of where they live. While this legislation will not completely solve the problem, it will go a long way toward bringing quality health care to those in rural America.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2789

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Rural Physicians Relief Act of 2006".

SEC. 2. NONREFUNDABLE CREDIT FOR RURAL PRIMARY HEALTH SERVICES PROVIDERS.

(a) IN GENERAL.—Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to nonrefundable personal credits) is amended by inserting after section 25D the following new section:

"SEC. 25E. RURAL PRIMARY HEALTH SERVICES PROVIDERS.

"(a) ALLOWANCE OF CREDIT.—In the case of an individual who is a qualified primary health services provider for any month during the taxable year, there shall be allowed as a credit against the tax imposed by this chapter for such taxable year an amount equal to \$1,000 for each month during such taxable year—

"(1) which is part of the eligible service period of such individual, and

"(2) for which such individual is a qualified primary health services provider.

"(b) QUALIFIED PRIMARY HEALTH SERVICES PROVIDER.—For purposes of this section, the term 'qualified primary health services provider' means, with respect to any month, any physician who is certified for such month by the Bureau to be a primary health services provider or a licensed mental health provider who—

"(1) is primarily providing primary health services, and either—

"(A) substantially all of such primary health services are provided in frontier areas (within the meaning of section 330I(r) of the Public Health Service Act), or

"(B) such primary health services are provided in a practice which includes rural patients from frontier areas (as so defined) in a percentage of the total practice which is at least equal to the percentage of total residents in the State in which such practice is

located who reside in frontier areas (as so defined),

“(2) is not receiving during the calendar year which includes such month a scholarship under the National Health Service Corps Scholarship Program or the Indian health professions scholarship program or a loan repayment under the National Health Service Corps Loan Repayment Program or the Indian Health Service Loan Repayment Program,

“(3) is not fulfilling service obligations under such Programs, and

“(4) has not defaulted on such obligations. Such term shall not include any individual who is described in paragraph (1) with respect to any of the 3 most recent months ending before the date of the enactment of this section.

“(c) ELIGIBLE SERVICE PERIOD.—For purposes of this section, the term ‘eligible service period’ means the period of 60 consecutive calendar months beginning with the first month the taxpayer is a qualified primary health services provider.

“(d) OTHER DEFINITIONS AND SPECIAL RULE.—For purposes of this section—

“(1) BUREAU.—The term ‘Bureau’ means the Bureau of Health Care Delivery and Assistance, Health Resources and Services Administration of the United States Public Health Service.

“(2) PHYSICIAN.—The term ‘physician’ has the meaning given to such term by section 1861(r) of the Social Security Act.

“(3) PRIMARY HEALTH SERVICES PROVIDER.—The term ‘primary health services provider’ means a provider of basic health services (as described in section 330(b)(1)(A)(i) of the Public Health Service Act).

“(4) ONLY 60 MONTHS TAKEN INTO ACCOUNT.—In no event shall more than 60 months be taken into account under subsection (a) by any individual for all taxable years.”

(b) CLERICAL AMENDMENT.—The table of sections for subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 25D the following new item:

“Sec. 25E. Rural primary health services providers.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2005.

Ms. MURKOWSKI. Mr. President, today I am pleased to join Senator BURNS in introducing the Rural Physicians’ Relief Act of 2006. This important legislation will bring needed assistance to physicians who provide primary health services to rural America.

Physicians who provide health care in the most rural locations in America face challenges unlike their more urban counterparts. Often great distances, remote locations, limited transportation, and harsh climate combine to make health care delivery extremely difficult to say the very least. Patient populations are small and spread out across extremely remote areas. As a result, many of these areas tend to be the most medically underserved areas in the Nation.

In my State of Alaska, a State that is larger than the States of California, Texas and Montana combined, nearly one-quarter of the State’s population lives in communities and villages that are only reachable by boat or aircraft. In fact, Alaska has fewer roads than any other State—even fewer roads than

Rhode Island. And unlike Rhode Island where over 90 percent of the roads are paved, less than 20 percent of the roads are paved in Alaska.

This means that approximately 75 percent of Alaskan communities are not connected by road to another community with a hospital. This means that all medical supplies, patients, and providers must travel by air. These remote populations tend to be among the poorest in the State. Air travel equates to excessively high health care costs—generally 70 percent higher than costs in the lower 48 States. In short, “rural” takes on a new definition in Alaska.

In Alaska, patient access to health care is exacerbated because our State also faces a chilling crisis—we have 25 percent to 30 percent fewer physicians than our population needs. In fact, Alaska has one of the smallest numbers of physicians per capita in the country. We need a minimum of 500 more doctors just to be at the national average of physicians per capita. An American Medical News article recently declared Alaska’s precarious situation: “Alaska has long ranked among the worst states in terms of physician supply.”

Our physician shortage crisis will only worsen. There is an expected retirement of at least 118 physicians in Anchorage alone in the next 10 years. In the 1990s, there were 130 new doctors each year. Now that figure has dropped to only 31 new physicians since 2001. Outside of Anchorage, one in every eight physician positions is vacant.

Additionally, many physicians are forced out of the Medicare and Medicaid Programs because reimbursement rates simply do not cover the cost to treat those patients. With Alaska’s growing population, especially of our elderly, this shortage will lead to the severe health care access crisis for all Alaskans.

On top of harsh physical challenges, Alaska’s rural population also faces significant human challenges. These rural patient populations are often in the greatest need for primary health care services. Heart disease, stroke, and other cardiovascular diseases are the leading causes of death in Alaska. Women in our State have higher death rates from stroke than do women nationally; and mortality among Native Alaskan women is dramatically on the rise, whereas it is actually declining among Caucasian women in Lower 48. The prevalence of chronic disease such as diabetes and even tuberculosis is increasing faster in Alaska than any other State. Each of these health concerns is magnified because access to health care—especially in rural Alaska—remains our greatest challenge.

The legislation that Senator BURNS and I introduce today seeks to lessen this problem. It will both assist physicians who currently practice in rural America and will provide an incentive to encourage physicians to practice in these remote and underserved areas. Specifically, it would give a physician

who is a primary health services provider a \$1,000 tax credit for each month that he or she provides services in a designated “frontier” area. Furthermore, physicians who treat a high percentage of patients from frontier areas would also be eligible for the tax credit.

Mr. President, my hope is to encourage physicians to practice medicine in rural Alaska and throughout rural America. Creating incentives that offset the high cost of providing care in the most remote areas of the Nation will go far in recruiting physicians to the areas that are most in need of their services.

By Mr. STEVENS (for himself, Mr. INOUE, Mr. SHELBY, Mr. SARBANES, Mrs. HUTCHISON, Ms. SNOWE, Mr. SMITH, Mr. BURNS, Mr. ALLARD, Mr. BENNETT, Mr. VITTER, Mr. BUNNING, Mr. ALLEN, Mr. GRAHAM, Mr. LOTT, Mr. DEWINE, Mr. DOMENICI, Mrs. DOLE, Mr. TALENT, Ms. MURKOWSKI, Mr. ROBERTS, Mr. LAUTENBERG, Mr. ROCKEFELLER, Mrs. BOXER, Mr. NELSON of Florida, Mr. KERRY, Ms. CANTWELL, Mr. REED, Mr. AKAKA, Mr. SCHUMER, Mrs. CLINTON, Mr. CARPER, Mr. MENENDEZ, Mr. KENNEDY, Mr. PRYOR, Ms. STABENOW, Mr. DORGAN, Mr. KOHL, Mr. BIDEN, Mr. DURBIN, Ms. MIKULSKI and Mr. JEFFORDS):

S. 2791. A bill to amend title 46 and 49, United States Code, to provide improved maritime, rail, and public transportation security, and for other purposes; read the first time.

Mr. STEVENS. Mr. President, today I introduce a bipartisan transportation security bill, which is a joint Commerce and Banking Committee bipartisan package co-sponsored by Senators INOUE, SHELBY, SARBANES, and 37 of our colleagues. This bill would dramatically enhance our Nation’s port, rail, and transit security systems. The port and rail provisions of this package are identical to provisions of the transportation security bill, S. 1052, which was reported unanimously by the Commerce Committee last year. The transit provisions of the package are identical to those reported unanimously by the Banking Committee.

The events of 9/11 made clear that Congress needed to address the vulnerabilities within the Nation’s transportation systems and dramatically increase security measures to protect the essential interstate flow of commerce.

Even before 9/11, the Commerce Committee led the Senate’s effort to achieve the delicate balance between improved transportation security and the uninterrupted flow of commerce. In the weeks and months following the 9/11 terrorist attacks, the Commerce Committee developed the Maritime Transportation Security Act, which was signed into law by the President in 2002. The committee later expanded

MTSA by developing the Coast Guard and Maritime Transportation Act of 2004.

In MTSA, the Commerce Committee called on both public and private sector entities, including Federal agencies, the port community, vessel owners, shippers, and earners, to play a role in dramatically enhancing maritime security. The International Maritime Organization followed suit with its own improvements, many of which were based on the foundation set forth in MTSA.

The Commerce Committee spearheaded the establishment of a harmonized security credential for all transportation workers, authorizing the creation of a Transportation Worker Identification Credential, TWIC, program in the Aviation and Transportation Security Act (2001), and twice more in the Maritime Transportation Security Acts of 2002 and 2004. Additional statutory authority from the PATRIOT Act reinforced the importance of such a transportation credential.

TWIC is intended to improve identity management for all transportation workers, ensuring that only authorized personnel gain unescorted access to secure areas of the country's transportation system. TWIC is designed to mitigate the threat of terrorists exploiting certain physical and cyber security gaps in the transportation system.

The bill would require TSA to deliver a rulemaking on the implementation of the TWIC program. It has been over three and one half years since Congress first required such a card, and this provision sets a mandatory deadline of January 1, 2007 for rollout.

The bill that I propose also would direct the Coast Guard to expand the deployment of Interagency Operations Centers to ports throughout the United States. These centers, already operating in five cities, would bring together all port security and operations stakeholders into a single facility at major ports. This approach has proven effective at maximizing communication among Federal, State, and local entities charged with securing the ports.

In addition, the provision would require greater standards and requirements for cargo screening equipment, and call for additional data to be incorporated into the system used to target cargo and containers for searches.

While TWIC, Interagency Operation Centers, and equipment standards will help improve security on our shores, we must be cognizant of the fact that maritime security begins in foreign ports. We must cast our security net as far back into the inbound international supply chain as possible.

Two programs that were authorized by the Commerce Committee in MTSA address the need to pre-screen cargo bound for the United States—the Container Security Initiative CSI, and the Customs-Trade Partnership Against Terrorism, (C-TPAT).

CSI is a program in which U.S. inspectors are deployed to foreign nations to assist their foreign counterparts in the pre-screening of U.S.-bound cargo containers. C-TPAT is a voluntary supply chain security program that allows companies to seek certification from the Federal Government that such companies have taken sufficient steps to ensure that their supply chains are secure in exchange for expedited cargo clearance benefits at U.S. ports.

The bill that I introduce with my colleagues would require that basic program elements and standards be developed by DHS in order to provide CSI and C-TPAT participants a baseline understanding of the security standards expected of them.

Maritime security is not the only improvement that we must make—the unfortunate attacks on passenger trains in Madrid and the subways in London underscored weaknesses in rail transportation that our bill would seek to address. To improve rail security, our bill would require TSA to conduct railroad threat assessments and to prioritize recommendations. In addition, the legislation would create a rail security research and development program to encourage deployment of rail car tracking equipment for shipment of hazardous materials, and require threat mitigation plans when specific threat information exists. The bill also would authorize further studies of necessary improvements to passenger rail screening, in an effort to increase security in this mode of public transportation.

Our mass transit systems have pressing security needs, upon which our colleagues on the Banking Committee are focused; as a result, transit security improvements are incorporated into our bipartisan bill. It is unfortunate that many transit agencies in the U.S. still lack sufficient resources to fulfill the post-9/11 recommendations of the Federal Transit Administration's security assessment. These needs are all the more pressing in light of recent DHS recommendations for U.S. mass transit systems to remain alert against the possibility of terrorist attacks. In response to this situation, our bill would create a needs-based grant program to identify and address risks and vulnerabilities within transit systems across the country. The bill would authorize \$3.5 billion in funding over the next 3 years to transit agencies to invest in projects designed to resist and deter terrorist attacks, including: surveillance technologies; tunnel protection; chemical, biological, radiological, and explosive detection systems; perimeter protection; and a variety of other security improvements. The bill also would codify the role of an Information Sharing Analysis Center, which would provide security information to transit systems and ensure better communication among federal, state, local, and private sector entities.

To improve security, we must have clear objectives and methods to reach

those goals. With limited resources, it is important to pinpoint risks and vulnerabilities that exist within our transportation systems, and address them accordingly. By combining provisions approved unanimously by the Commerce and Banking Committees, respectively, this bipartisan bill would make significant targeted improvements to the framework now in place to secure the Nation's port, rail, and transit environments.

Mr. INOUE. Mr. President, it is hard to believe, but Congress has not made any substantive improvements to the Nation's transportation security systems since 2002. Yet nearly every day, we are provided further reminders that our transportation modes, particularly port, cargo, rail, and public transit, remain vulnerable.

Given the urgent need for further improvements, Chairman STEVENS and I have joined with the Banking Committee leaders, Senator SHELBY and Senator SARBANES, to advance a comprehensive transportation security bill that reflects the importance of our transportation infrastructure to the quality of life and economic health of the country.

Our legislation combines the port, cargo, and rail provisions of our Committee's Transportation Security Improvement Act with the Banking Committee's Public Transportation Terrorism Prevention Act. Together, the combined measure makes significant improvements to our port, cargo, rail, and public transit security nationwide.

It is important to note the level of Senate support for our approach. Not only have the elements of our bill been separately and unanimously approved by our respective Committees, our legislation has 42 Senate cosponsors on introduction. That kind of support demonstrates both the necessity of these improvements and the distinct possibility that we can move this bill this year.

The legislation that we introduce today, with its emphasis on the Coast Guard and the Transportation Security Administration, TSA, is the natural counterpart to the port security bill approved by the House of Representatives last week. The bills are directly compatible, and if the Senate moves quickly on this matter, we can proceed to conference and make real progress on transportation security before the session concludes.

This legislation reflects the port, cargo, and rail security expertise of the Commerce Committee and the public transit security expertise of the Banking Committee. On the Commerce Committee, we began examining port and cargo security in 1999 and had begun to craft security legislation even before the September 11 tragedy.

In 2001, our committee authored the landmark Maritime Transportation Security Act, MTSA, which established the foundation for the Nation's port and cargo security. Under the MTSA,

the Coast Guard became the lead agency on port security matters and created the Nation's current, international, inter-modal cargo security regime. That expertise and perspective is essential as we advance improvements to our maritime security laws.

However, the implementation of MTSA's security improvements has been weak and inconsistent. The Department of Homeland Security's budgets have not reflected port security's significance to the economy, and the Agency has missed numerous internal and legislated security deadlines. As a result, vulnerabilities remain.

Given the recent focus on the Nation's lingering, significant port security weaknesses, the country is now far more attuned to port and cargo security. The heartland is learning what the coasts have known for many years: Our national economy and physical security depend on strong port and cargo security.

Our legislation makes the many enhancements that are long overdue. It guides and enhances the Coast Guard's and the Department of Homeland Security's, DHS, authorities on maritime security. It improves examination of cargo before it reaches U.S. ports, provides a process for the speedy resumption of commerce in the event of an attack on a seaport, and expands the use of interagency operations centers.

Specifically, our legislation improves the examination of shipments before they reach U.S. shores. It calls upon the U.S. Customs and Border Protection, CBP, to develop standards for the evaluation, screening, and inspection of cargo destined for the U.S. prior to loading in a foreign port, and it provides greater targeting and scrutiny of high-risk cargo by requiring importers to file entry data 24-hours prior to loading at a foreign port.

Also, the legislation authorizes the random inspection of incoming cargo—a method which has proven to be 12 times more likely to find illicit shipments than traditional inspection methods.

In the event there is a seaport attack, our bill clarifies the requirements for expedited clearance of cargo through the Secure Systems of Transportation Program and extends the supply chain review to the initial point of loading. The bill also amends MTSA based on Government Accountability Office, GAO, recommendations to improve upon the Container Security Initiative, CSI, the Customs-Trade Partnership Against Terrorism Program, C-TPAT, and Automated Targeting System, ATS.

It is important to note that while our port security regime has significant weaknesses, the agencies involved have also begun to make some notable improvements in recent years. According to the Department of Homeland Security Inspector General's most recent report on the port security grant program, the DHS has made substantial progress on the program and is begin-

ning to deliver funding to the Nation's ports efficiently and effectively.

Our legislation builds upon the port and cargo security systems that have taken 4 years to develop and provides the resources necessary to strengthen port security infrastructure, planning, and coordination. Other pending proposals have sought to reorganize the DHS yet again and add an additional layer of bureaucracy through a new Office of Cargo Policy. Such changes are counterproductive and suggest a lack of understanding of local stakeholders' actual needs and given the need for immediate improvements, they make little sense.

Our committee has also brought its transportation security expertise to bear on the challenges facing rail security. Consistent with the Rail Security Act approved unanimously by the Senate in 108th Congress, our legislation requires the Transportation Security Administration, TSA, to conduct a railroad sector threat assessment and submit prioritized recommendations for improving rail security. It also calls for the TSA and the Department of Transportation to clarify their respective roles for rail security.

Our legislation provides grants through TSA to Amtrak, freight railroads, and others to upgrade security across the entire railroad system. It provides funding through the Department of Transportation to make needed security and safety enhancements to Amtrak railroad tunnels in New York, Washington, and Baltimore.

Our bill creates a rail security research and development program through DHS and encourages the deployment of rail car tracking equipment for hazardous material rail shipments. It so requires railroads shipping high-hazard materials to create threat mitigation plans to protect high-consequence targets when specific threat information exists.

Finally, the bill authorizes studies to improve passenger rail screening and immigration processing along the U.S. northern border, creates a security training program for railroad workers, and provides whistleblower protections for workers who report security concerns.

All of these enhancements have been thoroughly vetted over several years of meticulous work. They have received the unanimous support of our committee membership, and in the case of the rail security provisions, the support of the full Senate in 2004.

In the 108th Congress, the Senate conclusive determined that transportation security and transportation safety could not be separated. Thus, given its oversight of the Coast Guard, TSA, and its general expertise in transportation matters, the Commerce Committee maintained jurisdiction over transportation security generally, and port, cargo, and rail security specifically. Similarly, the Banking Committee's expertise in urban transit has made it the Committee of jurisdiction for public transit security.

This expertise matters, particularly when crafting legislation that impacts how these systems operate. Transportation security legislation must reflect a balanced understanding of security, safety, and commerce. It is not enough to understand just one of those elements. Our economy is totally dependent upon efficient and effective transportation systems. Thus, our security policies must be robust, but they cannot ignore the realities of modern commerce nor the potential economic damage that could result from public policies that did not sufficiently take into account the resumption of our systems.

The legislation that we advance today reflects the Commerce and Banking Committees' expertise and understanding of this important balance. The time has come to advance these improvements, and nearly half of this body has already signed-on in support of this bill. Our legislation presents an opportunity to make immediate progress on transportation security, and it is my sincere hope that the Senate will act on this measure as soon as possible.

Mr. SARBANES. Mr. President, I am pleased to join with my colleagues in introducing legislation to improve security at our Nation's transit systems, rail lines, and ports. The transit title in this legislation was reported unanimously by the Banking Committee in November of last year, and the rail and port titles were reported on the same day by the Commerce Committee. Combining these titles into one piece of legislation makes extraordinary sense when one considers the urgent need to improve security in all areas of our Nation's multimodal transportation network.

As ranking member of the Banking Committee, which has jurisdiction over public transportation, I will focus my remarks on the transit portion of this legislation, though the need for improved security is equally great at our rail network and ports. Let me begin by noting that during the last Congress, the Senate unanimously passed the Public Transportation Terrorism Prevention Act of 2004, which is identical to the transit title in the legislation we are introducing today. Unfortunately, that legislation was never enacted into law, and the threat to transit continues. Just last week the Department of Homeland Security issued a new warning to transit systems to remain alert against possible terrorist attacks. According to the Associated Press, the warning said that four people had been arrested over the last several months in separate incidents involving videotaping of European subway stations and trains or similar activity, which provides "indications of continued terrorist interest in mass transit systems as targets."

Last year, the London subway system was the target of a tragic attack that left 50 people dead, and in 2004, almost 200 people were killed when bombs exploded on commuter rail

trains in Madrid. In fact, in 2002, the GAG reported that one-third of all terrorist attacks worldwide are against transit systems. Despite this significant threat, security funding has been grossly inadequate, and, as a result, our Nation's transit systems have been unable to implement necessary security improvements, including those that have been identified by the Department of Homeland Security. In an editorial last July, just after the London attacks, the Baltimore Sun stated that: Since September 11, 2001, the Federal Government has spent \$18 billion on aviation security. Transit systems, which carry 16 times more passengers daily, have received about \$250 million. That is a ridiculous imbalance.

The editorial goes on to state:

How would those in charge of the nation's public transit systems spend the extra money? Chiefly for necessities like security cameras, radios, training an extra security personnel. Those aren't extravagant requests.

Let me give one example of a critical need right here with respect to Washington's Metro. Their greatest security need is a backup control operations center. This need was identified by the Federal Transit Administration in its initial security assessment and then identified again by the Department of Homeland Security in its subsequent security assessment. This critical need remains unaddressed because it has been unfunded. This legislation would authorize the funding to make this and other urgently needed security upgrades at transit systems around the country.

We know that transit systems are potential targets for terrorist attacks. We know the vital role these systems play in our Nation's economic infrastructure. We can wait no longer to make these security investments.

I thank the chairman of the Banking Committee, Senator SHELBY, for his excellent leadership on transit security and Senator REED for his strong and continued commitment on this issue. I also commend the leadership of the Commerce Committee for their foresight in moving the port and rail titles of this legislation. I thank all of our colleagues who have joined as cosponsors of this legislation, and I urge the full Senate to support it.

By Mr. GREGG:

S. 2792. A bill to revise and extend certain provisions of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002; to the Committee on Health, Education, Labor, and Pensions.

Mr. GREGG. As we seen in recent years, our Nation is not immune from major public health and medical emergencies such as the terrorist attacks on 9/11 or Hurricanes Katrina and Rita. Many of us were living under a false sense of security that the United States was not susceptible to major terrorist attacks. We also believed that our Federal, state, and local govern-

ments had all the appropriate emergency preparedness measures in place to handle even the worst-case disasters, like the devastation caused by Hurricane Katrina or a pandemic outbreak of avian flu.

Prior to 9/11, our Nation's public health system provided passive surveillance to detect and track the spread of infectious diseases and to educate the public on how to better protect themselves. Are we better prepared today to handle a national public health emergency than we were prior to 9/11? I would say yes. But, we need to do more.

In the five years since 9/11 our Nation's public health system has begun to transform into a health system able to respond to public health emergencies, whether it is a terrorist attack, such as the anthrax, or a natural event.

The Bioterrorism and Public Health Emergency Preparedness Act of 2002, which I co-authored, provided a number of critical provisions to strengthen our Nation's public health infrastructure after we were attacked on 9/11. The act has authorized almost \$8 billion for state and local public health and hospital preparedness to increase medical surge capacity and surveillance capabilities. The act created the Office of Public Health and Emergency Preparedness at HHS to coordinate Federal public health and medical emergency preparedness and response, such as significant increases of vaccines, antivirals, and medical supplies, such as gloves, masks and first-aid equipment for rapid deployment anywhere in the U.S. through the Strategic National Stockpile. The act also strengthened border protection authorities, including quarantine and isolation, and food importation and our water supply.

While the Bioterrorism and Emergency Preparedness Act of 2002 improved our Nation's public health and medical response infrastructure, much work remain. We still cannot say with any certainty that states are more prepared than before 9/11 because we still do not have meaningful standards to evaluate our level of preparedness. Once states develop preparedness plans, we must test and evaluate them. Individuals throughout all levels of government and the private sector agree that one of the biggest public health weaknesses is the lack of adequate testing and evaluation of the response plans long before an emergency occurs.

Now that we've had almost five years to strengthen our capacity to respond effectively to a national emergency, we need to now shift our focus to areas that are especially at a high risk of a terrorist attack or a natural emergency. The Federal government must play a role, but cannot stand alone. The state and local public health and medical first responders will be on front lines during a national emergency. State and local governments have the in-depth knowledge of their

own medical surge capacity and response plans and must play a significant role in their own preparedness preparations.

We need to do more to encourage states and regions to coordinate and share resources, including personnel, hospital beds and medical supplies during a major emergency. The public health and emergency medical response community agrees that it is critical to establish regional agreements among neighboring states. A regional approach will greatly increase a state's surge capacity to handle a major public health emergency. Incentivizing states to coordinate emergency preparedness planning is critical. My state of New Hampshire, along with Maine and Vermont, have established memo of understanding to share resources, such as medical personnel and hospital beds, during an emergency in the region.

Finally, we must establish coordination among all levels of government—from the Federal government all the way down to the city and town leaders. The Federal response during a national emergency is managed by the Department of Homeland Security and guided by the National Response Plan (NRP). The NRP directs the Department of Health and Human Services (HHS) to lead the Federal public health and medical response and support the state and local first-responders. It is essential that clear and robust lines of communication are developed between federal agencies to effectively prepare for and respond to national emergencies.

Our Nation has certainly had its share of very difficult circumstances to overcome in recent years. I believe these incidents have given us a real wake-up call that we must prepare at all levels of government to provide a rapid and robust response. I believe the bill I am introducing today will focus on all levels of government to be accountable and prepared to better respond to national public health and medical emergencies.

By Mr. LUGAR:

S. 2793. A bill to enhance research and education in the areas of pharmaceutical and biotechnology science and engineering, including therapy development and manufacturing, analytical technologies, modeling, and informatics; to the Committee on Health, Education, Labor, and Pensions.

Mr. LUGAR. Mr. President, I rise today to introduce the Pharmaceutical Technology and Education Enhancement Act. The legislation that I introduce today would improve pharmaceutical and biotechnological development and manufacturing through education and research at our nation's institutions of higher education. By expanding pharmaceutical science, technology and engineering research within our universities, this bill aims to expedite the drug manufacturing process,

thereby producing quality pharmaceuticals at a more affordable cost to consumers.

In 1999, 8.2 percent of total health care spending in the United States was attributed to prescription drugs. By 2010, prescription drugs are expected to account for 14 percent of our nation's health care spending. In addition, the average cost of bringing a new drug to market has risen 50 percent in the last five years, now costing as much as \$1,700,000,000.

The trend of rising pharmaceutical costs is disturbing as it discourages innovation and impedes efforts to fight disease and address important public health concerns. High pharmaceutical manufacturing costs associated with outdated manufacturing processes significantly contribute to the rising cost of prescription drugs and overall health care in our country.

This legislation would establish a partnership between the Food and Drug Administration and other federal agencies, the pharmaceutical and medical industries, and the National Institute for Pharmaceutical Technology and Education whose member institutions include Purdue University, in my home state of Indiana, and ten other exemplary research universities throughout the country. This collaboration will expand the ability of those in the academic research field to contribute to the medical technology and pharmaceutical industries to create better quality products with more efficient, less costly manufacturing.

Without a change in the pharmaceutical manufacturing process, health care costs in this country will continue to rise and prevalent public health concerns will remain unanswered. Engaging the academic community in this process is vital and I urge my colleagues to join me as co-sponsors of this important legislation.

By Mr. KENNEDY (for himself, Mr. REID, Mr. BAUCUS, Mr. BINGAMAN, Mr. HARKIN, Ms. MIKULSKI, and Ms. CANTWELL):

S. 2794. A bill to ensure the equitable provision of pension and medical benefits to Department of Energy contractor employees; to the Committee on Energy and Natural Resources.

Mr. KENNEDY. Mr. President, today Senators REID, BAUCUS, BINGAMAN, HARKIN, MIKULSKI and CANTWELL join me in introducing legislation to protect the pensions and health care of America's nuclear defense and energy workers who provide critical services to support our national defense and energy security.

Our bill reverses a policy the Bush administration recently issued to eliminate secure pensions and good health care for workers under Department of Energy contracts. This policy is bad for workers and bad for business. By attacking their secure pensions and quality health care benefits, this administration is undermining our government's ability to protect our Nation

and strengthen our economy. And it is broadcasting a message that American workers' secure retirement and good health care should be put on the chopping block. The Federal Government should be setting a good example with strong benefits for workers, instead of leading a race to the bottom.

By refusing to cover the costs for secure pensions, this administration is forcing contractors to put their employees into defined contribution plans. Workers will bear the risks of uncertain stock markets and the risk of outliving their savings. And businesses, instead of being free to choose which type of retirement plan is best for their workers, will be forced into a one-size-fits-all model.

The American Academy of Actuaries, the professionals who understand as well as anyone the benefit system in America, strongly objects to the Department's new policy, pointing out that it takes away contractors' ability to choose the type of benefit plans offered to workers and undermines retirement security. They urge that this policy be immediately rescinded.

This is a particular concern given the timing of this announcement. Right now we have a pension bill in conference designed to strengthen the defined benefit pension system.

At this critical time, the administration should be supporting the growth and expansion of the defined benefit pension system. But instead it is going the other way, by forcing businesses to abandon defined benefit pension plans. This says to me that this President is not committed to a secure retirement for Americans. First he tried to privatize Social Security; now he's trying to use our federal contracting system to do the same with our Nation's nuclear defense workers.

The administration is also attacking employer-provided health care, by saying the government will not pay more than the average in the industry for health care costs under Department of Energy contracts. In other words, it will pay only the average or below.

And the quality health care benefits Department of Energy contractors offer workers will have to be replaced by limited medical plans that unfairly penalize the least healthy workers.

These high deductible plans don't work for people who need health care the most. Persons with chronic health conditions or who are hit with illness or injury will have to pay significantly more than they would with the comprehensive insurance that the administration's proposal eliminates. These individuals will never be able to find the funds to cover the care they need before meeting the high-deductible needed for their plan to cover them. Is this how we want to treat American workers?

If the President's goal is to cut spending for health care, this is the wrong way to go about it. Workers with the kind of high-deductible health plan President Bush has mandated for

Department of Energy contractors are more likely to avoid, skip or delay the care that prevents a medical crisis. This means workers will get care when they are sicker and may need costly hospital or emergency room care. Shifting costs to workers drives up costs instead of cutting them.

Last week Senator REID, Senators BAUCUS, BINGAMAN, HARKIN, MIKULSKI, CANTWELL, MURRAY and I sent a letter to the White House calling on the President to overturn this ill-conceived policy and call off his attack on the retirement security and health care of these skilled workers. We hope that the President will reconsider. But if he does not, we will be looking for every opportunity to address this issue through this legislation. I urge my colleagues to support this legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 474—THANKING JOYCE RECHTSCHAFFEN FOR HER SERVICE TO THE SENATE AND TO THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. LIEBERMAN (for himself and Ms. COLLINS) submitted the following resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. RES. 474

Whereas Joyce Rechtschaffen, an accomplished environmental lawyer, joined the staff of Senator Joseph I. Lieberman upon his entry into the Senate in 1989 and served as his legislative assistant and counsel for environmental issues for almost 10 years;

Whereas, during her tenure in Senator Lieberman's office, Joyce Rechtschaffen contributed greatly to the protection of the Nation's environment, most significantly through important contributions to the landmark Clean Air Act Amendments of 1990, ceaseless efforts to protect the Arctic National Wildlife Refuge, and innovative proposals to stem the harmful effects of greenhouse gasses;

Whereas, in 1999, upon Senator Lieberman becoming the Ranking Member on the committee known at the time as the Committee on Governmental Affairs, Joyce Rechtschaffen took on the new challenge of serving as Democratic Staff Director of that committee;

Whereas during her more than 7 years in that position, Joyce Rechtschaffen worked tirelessly to advance the work of the Committee on Governmental Affairs, and its current successor, the Committee on Homeland Security and Governmental Affairs, and of the Nation;

Whereas Joyce Rechtschaffen has played a leading role in every accomplishment of the Committee on Homeland Security and Governmental Affairs since 1999, from the 2002 creation of the Department of Homeland Security, to the establishment of the National Commission on Terrorist Attacks Upon the United States (commonly known as the "9/11 Commission") that same year, to the 2004 reorganization of the United States intelligence community, and to the 2006 investigation into the governmental response to Hurricane Katrina, among many other accomplishments;